

DOCKET NO.: UPN-3904



PATENT

TECH CENTER 1600/2900

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Cameron J. Koch, Alexander V. Kachur,
Sydney M. Evans, Chyng-Yann Shiue, Ian
R. Baird, Kirsten A. Skov, William R.
Dolbier, Jr., An-Rong Li, And Brian R.
James

Serial No.: 09/648,306

Confirmation No.: 6906

Filing Date: August 25, 2000

Group Art Unit: 1626

For: DETECTION OF HYPOXIA

Examiner: Sonya N. Wright

EXPRESS MAIL LABEL NO: EL 884781274 US
DATE OF DEPOSIT: March 5, 2003

EL 884781274 US

BOX AF

Assistant Commissioner for Patents
Washington, DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed September 5, 2002, finally rejecting claims 20-22 and 27-32 of the above-identified patent application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

- Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
 - an Independent Inventor
 - a Small Business Concern
 - a Nonprofit Organization

03/07/2003 SZENDIE1 00000009 09648306

01 FC:2253
02 FC:2401

465.00 OP
160.00 OP

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(4)) for the total number of months checked below:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	Fee	RATE	Fee
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$0	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$205	\$0	\$410	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$465	\$465.00	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$725	\$0	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$985	\$0	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$0)	minus	(\$)
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$160	\$160.00	\$320	\$
TOTAL FEE DUE		\$625.00		\$0

3. FEE PAYMENT

- A check in the amount of \$625.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- Please charge my Deposit Account No. 23-3050 in the amount of \$ ____ .00. This sheet is attached in duplicate.
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application.

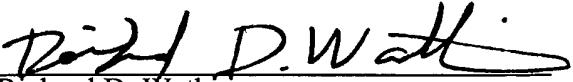
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The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

Date: March 5, 2003


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